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PATENT

Docket No. 2695-061A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No. 6994

Osamu KASAI et al.

Group Art Unit: 3713

Serial No. 10/748,247

Examiner: Binh An Duc Nguyen

Filed: December 31, 2003

For: CONTROL METHOD OF VIDEO GAME, VIDEO GAME APPARATUS, AND  
COMPUTER READABLE MEDIUM WITH VIDEO GAME PROGRAM RECORDEDTERMINAL DISCLAIMERCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The owner, Konami Co., Ltd., *and* Konami Computer Entertainment Tokyo Co., Ltd., of 100 percent interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154-156 and 173, as presently shortened by any Terminal Disclaimer, of prior U.S. Patent No. 6,676,523. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

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statutory term as defined in 35 U.S.C. §154-156 and 173 of the prior patent, as presently shortened by any Terminal Disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned is an attorney of record; therefore, certification under 37 C.F.R. §3.73(b) is not required.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP

By: 

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Allan M. Lowe, Registration No. 19,641 CERTIFICATION OF FACSIMILE TRANSMISSION  
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE

ON THE DATE SHOWN BELOW

*Roseanna K. Klein* 2.22.05

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*R. M.* 2.22.05

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SIGNATURE DATE

*703-872-9306* 2.22.05

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FACSIMILE NUMBER

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